

Minutes of Special and Regular Meeting of September 14, 2010

## **SPECIAL MEETINGS**

### **CLOSED SESSION – 6:30 P.M.**

- A. Conference Pursuant to Government Code Section 54957 Regarding Public Employee Performance Evaluation: City Attorney
- B. Conference with Legal Counsel pursuant to Government Code Section 54956.9(a), Existing Litigation: PAMI vs. City of Belmont
- C. Conference with Labor Negotiators, Christine Wozniak and Dave Warden, Pursuant to Government Code Section 54957.6: Unrepresented Employee, City Manager
- D. Conference with Legal Counsel pursuant to Government Code Section 54956.9(c), Initiation of Litigation: One Case

Attended by: Councilmembers Feierbach, Wozniak, Warden (arr 7:10), Lieberman, City Manager Scoles, Community Development Director de Melo, Human Resources Director Dino, City Attorney Zafferano. Councilmember Braunstein was absent, and City Clerk Cook was excused from attending.

**ADJOURNMENT** at this time, being 7:30 P.M.

**Terri**

**Cook**

**City Clerk**

This meeting was not tape recorded or videotaped.

## **REGULAR MEETING**

### **CALL TO ORDER 7:35 P.M.**

### **ROLL CALL**

COUNCILMEMBERS PRESENT: Feierbach, Warden, Wozniak, Lieberman

COUNCILMEMBERS ABSENT: Braunstein

Staff Present: City Manager Scoles, City Attorney Zafferano, Finance Director Fil, Human Resources Director Dino, Police Chief Mattei, Fire Chief Fry, Deputy Finance Director Tu, Deputy Finance Director Lazzari, Parks and Recreation Director Gervais, Police Captain DeSmidt, City Treasurer Violet, City Clerk Cook.

### **PLEDGE OF ALLEGIANCE**

Led by Girl Scout Gold Award Recipient Lisa Hendryx.

### **REPORT FROM CLOSED SESSION**

City Attorney Zafferano stated there were no reportable actions from the Closed Sessions held earlier.

## **SPECIAL PRESENTATIONS**

### **Girl Scout Gold Award Recipient, Lisa Hendryx**

Mayor Wozniak presented Lisa Hendryx with a Proclamation, acknowledging her efforts in earning her Gold Award in Girl Scouts.

Ms. Hendryx explained her project of a teddy bear drive during which she collected 118 teddy bears that were given to Lucile Packard Children's Hospital for them to present to hospitalized children. She noted that the teddy bears help with the healing process.

### **Presentation on Save the Music Festival, October 3, 2010**

**Alan Sarver**, Save the Music Festival Coordinator, provided a brief background of School Force, which was founded in 2001 as a way to supplement co-curricular programs at the Belmont-Redwood Shores School District. He noted that School Force raised \$1.6 million during the past year. He explained that classroom music is always targeted during difficult financial times, and the Save the Music Festival helps fund music programs. He outlined the upcoming Festival, which will be held on October 3<sup>rd</sup>. He thanked the City of Belmont for its partnership of this event.

Councilmember Lieberman thanked Mr. Sarver for his efforts on behalf of this event.

### **PUBLIC COMMENTS AND ANNOUNCEMENTS**

**Kathleen Beasley**, Belmont Library Branch Manager, distributed copies of the San Mateo County Library Annual Report. She highlighted Belmont's accomplishments and programs throughout the past year.

Mayor Wozniak noted that the Belmont Library has begun a partnership with the Belmont-Redwood Shores School District, since it has had to close school libraries due to budget issues.

**Laura Dudnick**, Patch.com, stated that Patch.com is an on-line news source that would be launching the Belmont page for Patch.com, and she welcomed input.

**Lenore Griffin**, Belmont Chamber of Commerce, invited the public to the next Coffee with the Cops event to be held at the Belmont Library on September 15<sup>th</sup>.

**Mary Morrissey-Parden**, Belmont Chamber of Commerce, welcomed new City Manager Scoles. She noted that Belmont has a diverse business community.

**Gladwyn D'Souza**, Belmont resident, spoke against the proposed Smart Corridors program. He stated it lacks options for bicyclists and pedestrians. He thanked the Belmont Police Department for its efforts in providing safer routes for bicyclists, including red light responses.

### **COUNCIL MEMBER COMMENTS AND ANNOUNCEMENTS**

Mayor Wozniak welcomed new City Manager Scoles. City Manager Scoles introduced staff members from the City of Santa Rosa.

Fire Chief Fry provided an update on the recent fire in San Bruno. He outlined the Belmont-San Carlos Fire Department personnel and equipment that was sent to assist with firefighting efforts. He noted that the Department often sends strike teams out of the area, and this was an opportunity for a community in the area to receive mutual aid from others.

Councilmember Feierbach requested that information on the location of large gas transmission lines be made available on the City's website.

Police Captain DeSmidt outlined the involvement of the Belmont Police staff during this incident, and he noted that some were still on duty at the scene.

Councilmember Lieberman spoke regarding signal light synchronization issues at Ralston and Old County Road and Ralston and El Camino Real. He stated that Cal Trans currently controls these intersections, but he would like City staff to be able to control them.

Mayor Wozniak made the following announcements: 1) Disaster Preparedness Workshop on September 18<sup>th</sup>; 2) some City staff members would be participating in the American Heart Association's Heart Walk on September 15; 3) the Belmont Library and the Chamber of Commerce were sponsoring a parent workshop on drug abuse on September 15; 4) the City is accepting applications for members of the High Speed Rail Ad Hoc Committee; 5) there will be two outreach meetings on High Speed Rail to be held on September 22 and 23; 6) a dedicated email address has been established for people to comment on the proposed High Speed Rail project; 7) a workshop on the upcoming coastal cleanup day will be held on September 22.

**RECESS: 8:20 P.M. (to consider the Redevelopment Agency and Belmont Fire Protection District Agendas)**  
**RECONVENE: 9:50 P.M.**

## **CONSENT CALENDAR ITEM APPROVED DURING REDEVELOPMENT AGENCY MEETING**

**ACTION:** On a motion by Councilmember Warden, seconded by Councilmember Lieberman, Resolution 10278 Authorizing a Professional Services Agreement with Burke, Williams & Sorenson, LLP for Legal Services was unanimously approved by a roll call vote (4-0, Braunstein absent).

## **CONSENT CALENDAR**

Councilmember Feierbach commented regarding the Financial Reports. She noted a one- month loss of sales tax.

**Approval of** Minutes of Special and Regular Meeting of July 27, 2010 and Special and Regular Meeting of August 10, 2010

**Acceptance of** Written Communication: 1) from Public Utilities Commission: a) PG&E's Air Resource Board AB32 Cost of Implementation Fee Recovery Program, b) PG&E's Default Residential Rate Program Application, and b) PG&E's Filing of Application to Recover Pumped Storage Study Costs; 2) US Bankruptcy Court, In Re Innkeepers USA Trust, et al., Debtors.

**Motion to Accept** Monthly Financial Reports

**Approval of** Resolution 10279 Authorizing a Purchase Order for Unleaded Gasoline and Diesel Fuel from Valley Oil Company for an Amount not to Exceed \$25,000

**Approval of** Resolution 10280 Authorizing a Purchase Order for the Purchase and Installation of a Diesel Particulate Filter for Public Works Truck #212 from Ironman Products for an Amount not to Exceed \$14,658.38

**Motion to** Approve Response to Grand Jury Report on Effectiveness of Red Light Traffic Camera Enforcement

**ACTION:** On a motion by Councilmember Warden, seconded by Councilmember Feierbach, the Consent Calendar was unanimously approved, as amended, by a show of hands (4-0, Braunstein absent).

## **COMMISSION, COMMITTEE, AND COUNCIL INTERGOVERNMENTAL ASSIGNMENT UPDATES, AND STAFF ITEMS**

### **Verbal report from Councilmembers on Intergovernmental (IGR) and Subcommittee Assignments**

There were no reports.

### **Update on High Speed Rail and Consideration of Resolution Supporting Cut/Cover Alignment Alternative**

Community Development Director de Melo provided photo renderings of the proposed high-speed rail aerial option for the Belmont corridor. He noted concerns regarding the effect on surrounding businesses. He stated that applications were now being accepted for the Ad Hoc Committee. He outlined upcoming outreach meetings, and he described the methods being used to advertise these workshops.

Community Development Director de Melo stated the proposed resolution on Belmont's position on high speed rail was revised that as a result of direction at the September 24<sup>th</sup> City Council meeting. He noted that any high speed rail construction would impact the Belmont community. Guiding principles were driving the verbiage of the resolution, and he commented that none of the high speed rail alternatives meet those principles.

Councilmember Warden stated that the resolution is balanced, and he is prepared to vote for it. Councilmember Feierbach also expressed her support.

Mayor Wozniak expressed concern regarding the statement of fact regarding the funding of the tunneling of high speed rail in the cities of San Jose and San Francisco. She noted that she otherwise supported the resolution, and that other cities were taking positions. She commented that Belmont needs to take a stand.

Councilmember Lieberman stated that he does not support the resolution. He noted that the City Council has not received an in-depth analysis of the project. He expressed support for operating high speed or bullet trains on the existing railroad track.

Mayor Wozniak responded that no alternatives other than an elevated 4-track configuration have been presented for the Peninsula corridor. The California High Speed Rail Authority (HSR) has not funded any monies for an analysis of alternates.

**Kristin Mercer**, Belmont resident, stated that the Public Works Department has performed some analysis of alternates. She noted that HSR has eliminated all alternatives except the aerial option. She explained that commuter freight trains cannot share tracks with high speed rail. The Peninsula does not want to lose its commuter rail option.

Councilmember Lieberman noted that the City Council has not received an analysis of any option, including the aerial proposal.

Councilmember Warden stated that the project is fiscally irresponsible and will not improve the quality of life in California. He has lost faith in the process, and he noted that the proposed resolution is a compromise.

**ACTION:** On a motion by Councilmember Feierbach, seconded by Councilmember Warden, Resolution 10281 Supporting a Tunneling or Fully Trenched and Partially Covered Construction Alternative for the Shared High Speed Rail on the Caltrain Right of Way was approved, as amended, by a roll call vote (3-0-1, Braunstein absent, Lieberman abstain).

#### **Verbal report from City Manager**

City Manager Scoles stated that he has been meeting with staff members, members of the community, and various organizations during his first two weeks in Belmont. He noted that discussions are ongoing with the Belmont-Redwood Shores and Sequoia Union High School Districts relative to the pass-through monies. He stated that city managers in San Mateo County have begun to discuss high speed rail. He announced that he would be attending the League of California Cities Annual Conference in San Diego.

#### **MATTERS OF COUNCIL INTEREST/CLARIFICATION**

##### **Discussion and Direction Regarding Permanent Striping of Belmont Library Parking Lot (Warden)**

Councilmember Warden stated that signage and lane delineation is ambiguous at the Belmont Library, and improvements are needed.

Acting Public Works Director Gervais stated that staff has been analyzing this situation. He explained that a water line is currently under repair at the library, and signage and lane marking could be addressed once that situation is resolved. He noted that this matter has not been discussed with the Library staff.

Mayor Wozniak stated that parking is a problem at peak times at the Library. She expressed support for overflow parking to be made available along the driveway.

**ADJOURNMENT** at this time, being 10:27 P.M.

**Cook**  
**City Clerk**

**Terri**

Meeting Tape Recorded and Videotaped  
Audio Recording 768